

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ALBERT LEO BERRETTINI,

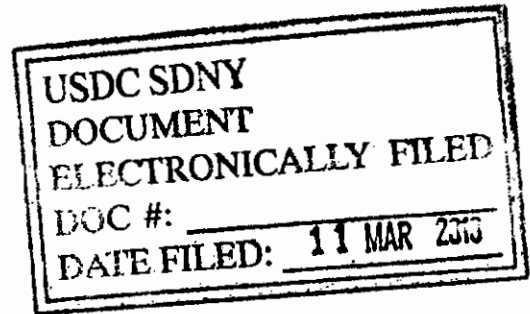
Petitioner,

-v-

No. 09 Civ. 1505 (LTS)(KNF)

FEDERAL BUREAU OF PRISONS,
ROCKY DOWD,

Respondent.
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ORDER ADOPTING REPORT AND RECOMMENDATION

The Court has reviewed Magistrate Judge Fox's July 8, 2009, Report and Recommendation (the "Report"), which recommends that petitioner Albert Leo Berrettini's petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2242 (the "Petition"), be "(i) deemed amended to name the chief administrative officer of the Pretrial Services Office for the Middle District of Pennsylvania as the respondent, and (ii) transferred to the United States District Court for the Middle District of Pennsylvania for further proceedings." (Report 6.) No objections to the Report have been received and the time to file objections has expired.

In reviewing a report and recommendation, a district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C.A. § 636(b)(1)(C) (West 2006). "In a case such as this one, where no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record." Johnson v. New York University School of Education, No. 00 Civ. 8117, 2003 WL

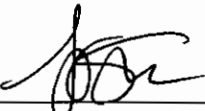
21433443, at *1 (S.D.N.Y. June 16, 2003). The Court has reviewed carefully Magistrate Judge Fox's thorough Report and finds no clear error. The Court therefore adopts the Report in its entirety for the reasons stated therein.

CONCLUSION

Petitioner Albert Leo Berrettini's petition for a writ of habeas corpus is hereby deemed amended to name the chief administrative officer of the Pretrial Services Office for the Middle District of Pennsylvania as the respondent. This action is transferred to the United States District Court for the Middle District of Pennsylvania for further proceedings. The Clerk of Court is respectfully requested to transfer this case accordingly.

SO ORDERED.

Dated: New York, New York
March 11, 2010



LAURA TAYLOR SWAIN
United States District Judge

Copies sent by mail to:

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